

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
In Open Court
USDC, Mass.
Date 12-13-05
By [Signature]

UNITED STATES OF AMERICA)

v.)

OLEKSIY SHARAPKA)

CRIMINAL NO. 05-10004-PBS

MOTION TO FILE MOTION TO DISMISS UNDER SEAL

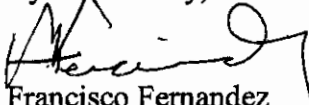
NOW COMES the Defendant, Oleksiy Sharapka, by and through undersigned counsel and respectfully requests that this Honorable Court allow him to file this present Motion to Seal as well as his Motion to Dismiss, with attachment, under seal. As reasons therefore, the Defendant states as follows:

1. The Defendant's Motion to Dismiss requires mention of his proffer agreement and cooperation with the Government.

WHEREFORE, the Defendant requests that the Court allow the within Motion to Seal.

Dated: December 12, 2005

Respectfully submitted,
Oleksiy Sharapka,
By his attorney,



Francisco Fernandez
Denner Associates
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12/28/05 Denied
Patricia Sains